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DECISION OF THE ANDOVER PLANNING BOARD  
AS A SPECIAL PERMIT GRANTING AUTHORITY

ON THE APPLICATION FOR

**197 Andover St**

For a Special Permit For a Change in Parking Space Requirements under Section 5.1.12 of the Zoning Bylaw.

**Decision: SP12-06**

**YES (with condition)**

A public meeting of the Planning Board was held on June 26, 2012 in the Third Floor Conference Room of the Town Office Building, Bartlet Street, Andover, Mass. Present and voting on the matter were Joan Duff, Vincent Chiozzi, John McDonnell, Eric Macaux and Lelani Loder.

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TOWN OF ANDOVER, MASS

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on May 3 and May 10, 2012, and pursuant to notice sent by mail, postage prepaid, to all interested parties under the provisions of Massachusetts General Laws Chapter 40A, a public hearing was convened on May 22, 2012 on the application by Shane Marrion for 197 Andover Street for a Special Permit For a Change in Parking Space

Requirements to allow for the reduction of parking spaces from nine to four. Following presentations and discussion the hearing was closed on June 26, 2012 with the aforementioned members of the Board present throughout.


During the hearing, the Planning Board reviewed the public parking that is available with eight 2 hour parking spaces located on Tewksbury Street and 3 all day spaces available on Dale Street.

After the discussion, the Planning Board was in agreement with staff's recommendation and in consideration of the plans and testimony at the hearing, the Planning Board finds that with an appropriate condition the proposal will not be detrimental to the neighborhood and the town, and would not derogate from the general purpose and intent of the Zoning By-Law. The special permit is therefore granted subject to the following condition:

1. The Board's approval is for the reduction in parking from nine spaces to four, the applicant's proposal for the building is for use as a dentist office with three treatment rooms, should the building be occupied for another use the reduction in parking shall stand to allow a reduction from nine spaces to four parking spaces on site with on street parking available.

On June 26, 2012, at a regularly scheduled public meeting, the Planning Board voted (5-0) to issue the foregoing Special Permit with condition.

Date: June 29, 2012

  
Joan Duff, Chair  
THE ANDOVER PLANNING BOARD

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

Date:

On this 29<sup>th</sup> day of June, 2012, by Joan Duff, the authorized agent of the Andover Planning Board, proved to me through satisfactory evidence, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the documents are truthful and accurate to the best of her knowledge and belief and who acknowledged to me that she signed it voluntarily for its stated purpose and acknowledged the foregoing to be the free act and deed of the Andover Planning Board.

Before me,

  
Jacki Byerley, Notary Public

My Commission Expires: July 4, 2014

JACKI A. BYERLEY  
NOTARY PUBLIC  
My commission expires July 4, 2014

## CERTIFICATION

I, Lawrence Murphy, Town Clerk of the Town of Andover, Massachusetts, do hereby certify that twenty (20) days have elapsed since this decision of the Andover Planning Board was filed in the Office of the Town Clerk on June 29, 2012 and no appeal has been filed with the Town Clerk.

Date: July 31, 2012

Lawrence Murphy  
Lawrence Murphy, Town Clerk